B. REMARKS

The Examiner is thanked for the performance of a thorough search. By this amendment, Claims 1-15 and 49-66 have been canceled. Hence, Claims 16-48 are pending in this application. The specification has also been amended to provide the information requested by the Examiner. The amendments to the claims and specification do not add any new matter to this application. All issues raised in the Office Action mailed June 16, 2005 are addressed hereinafter.

OBJECTION TO SPECIFICATION

The specification was objected to on the basis that the application should include the patent number (6,625,734) for related application number 09/300,085. The related application had not issued at the time the present application was filed. The specification has now been amended to include the patent number for the related patent application. In view of the amendment to the specification made herein, reconsideration and withdrawal of the objection to the specification is respectfully requested.

REJECTION OF CLAIMS 1-17, 20-22, 25-27, 30-33, 36-39, 42-45, 48-51, 55-57 AND 61-63 UNDER 35 U.S.C. § 102(b)

Claims 1-17, 20-22, 25-27, 30-33, 36-39, 42-45, 48-51, 55-57 and 61-63 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Matsumoto*, U.S. Patent No. 6,215,877. It should be initially pointed out that *Matsumoto* does not qualify as prior art under 35 U.S.C. § 102(b) with respect to the present application since the April 10, 2001 issue date of *Matsumoto* is not more than one year before the April 26, 1999 priority date of the present application. *Matsumoto* does, however, qualify as prior art with respect to the present application under 35 U.S.C. § 102(e) and this reply assumes that the rejection was intended to be made under 35

U.S.C. § 102(e) and not 35 U.S.C. § 102(b). This rejection is now moot with respect to canceled Claims 1-15, 49-51, 55-57 and 61-63. It is respectfully submitted that Claims 16, 17, 20-22, 25-27, 30-33, 36-39, 42-45 and 48 are patentable over *Matsumoto* for at least the reasons provided hereinafter.

CLAIM 16

Claim 16 is directed to a method for controlling access to a message that is communicated from a first node to a second node in a network that recites:

> "generating, at the first node, an encoded message by encoding the message with a key;
> generating, at the first node, a set of one or more instructions that contain the encoded message and instructions for decoding the encoded message using the key; and
> providing the set of one or more instructions to the second node;
> wherein, processing the set of one or more instructions at the second node causes the message to be recovered from the encoded message contained in the set of one or more instructions by:
> retrieving the key, and
> decoding the encoded message using the key."

It is respectfully submitted that Claim 16 recites one or more limitations that are not taught or suggested by *Matsumoto*. For example, it is respectfully submitted that *Matsumoto* does not teach or suggest at least the Claim 16 limitations "generating, at the first node, a set of one or more instructions that contain the encoded message and instructions for decoding the encoded message using the key" and "providing the set of one or more instructions to the second node."

Matsumoto describes a chat system that uses a key management server to provide channel-specific encryption keys to allow chat channel communications to be kept secret. In *Matsumoto*, a chat client 1 requests and receives from a key management server 3 a key for a particular chat channel 4. The chat client 1 uses the key to both encrypt data transmitted onto the

particular chat channel 4 and to decrypt encrypted data received from the particular chat channel 4. For example, as depicted in FIGS. 5-7 and the accompanying text, chat client 1 receives an input signal from a user into input unit 14. Encryption section 15 encrypts the input signal using the key for the particular chat channel 4 that was recovered by channel secret key decryption section 13. Transmission section 16 then transmits the encrypted input signal to the particular chat channel 4. *Matsumoto* at Col. 6, lines 60-65. As another example, receiving section 17 receives an encrypted input signal that was transmitted by another chat client onto the particular chat channel 4. A decryption section 18 decrypts the encrypted input signal using the key for the particular chat channel 4 to recover the original signal. An output unit 19 converts the original signal into a character and causes the character to be displayed on a screen. *Matsumoto* at Col. 6, line 66 through Col. 7, line 5.

There is no indication in *Matsumoto* that a chat client generates a set of instructions that contains the encrypted input signal and then transmits the set of instructions containing the encrypted input signal onto the chat channel 4. *Matsumoto* describes that the encryption section 15 encrypts the received input signal using the key for the particular chat channel 4. Transmission section 16 then transmits the encrypted input signal onto the chat channel 4. There is no mention or suggestion of chat client 1 generating a set of instructions that contains the encrypted input signal. Furthermore, there is no mention or suggestion of chat client 1 generating a set of instructions that contains both the encrypted input signal and instructions for decrypting the encrypted input signal using a channel key. Instructions for decrypting a received encrypted input signal would not be useful to chat client 1 since decryption section 18 is configured to automatically decrypt an encrypted input signal using the appropriate channel key. It is therefore respectfully submitted that at least the Claim 16 limitations "generating, at the first

node, a set of one or more instructions that contain the encoded message and instructions for decoding the encoded message using the key" and "providing the set of one or more instructions to the second node" are not taught or suggested by *Matsumoto*.

The Office Action asserted that the aforementioned limitations are taught by *Matsumoto* in FIGS. 4-7 and the accompanying text. FIG. 4 and the accompanying text relate to the general architecture of the chat system of *Matsumoto*. FIG. 5 and the accompanying text describe how channel-specific keys are distributed and used to encrypt channel communications. FIG. 6 and the accompanying text describe how channel-specific keys are distributed securely by encrypting channel-specific keys with the public key of a user. FIG. 7 and the accompanying text describe how channel-specific keys are distributed securely using user authentication. As described herein, none of these portions of *Matsumoto* teach or suggest a chat client 1 generating a set of instructions that contains both the encrypted input signal and instructions for decrypting the encrypted input signal using a channel key. The Examiner is respectfully invited to identify what specifically in *Matsumoto* is considered to be the "set of one or more instructions that contain the encoded message and instructions for decoding the encoded message using the key" recited in Claim 16.

In view of the foregoing, it is respectfully submitted that Claim 16 includes one or more limitations that are not taught or suggested by *Matsumoto* and is therefore patentable over *Matsumoto*.

CLAIMS 17 AND 20

Claims 17 and 20 both depend from Claim 16 and include all of the limitations of Claim 16. It is therefore respectfully submitted that Claims 17 and 20 are patentable over *Matsumoto* for at least the reasons set forth herein with respect to Claim 16. Furthermore, it is respectfully

submitted that Claims 17 and 20 recite additional limitations that independently render them patentable over *Matsumoto*.

CLAIMS 21, 22 AND 25

Claims 21, 22 and 25 recite limitations similar to Claims 16, 17 and 20, except in the context of computer-readable media. It is therefore respectfully submitted that Claims 21, 22 and 25 are patentable over *Matsumoto* for at least the reasons set forth herein with respect to Claims 16, 17 and 20.

CLAIMS 26, 27 AND 30

Claims 26, 27 and 30 recite limitations similar to Claims 16, 17 and 20, except in the context of apparatuses. It is therefore respectfully submitted that Claims 26, 27 and 30 are patentable over *Matsumoto* for at least the reasons set forth herein with respect to Claims 16, 17 and 20.

CLAIM 31

Claim 31 is directed to a method for controlling access to a message that is communicated from a first node to a second node in a network that recites:

> "generating, at the first node, an encoded message by encoding the message with a key;
> generating, at the first node, a set of one or more instructions that contain the encoded message and instructions for transferring to a third node the encoded message and instructions for retrieving the key;
> providing the set of one or more instructions to the second node;
> wherein, processing the set of one or more instructions at the second node causes the encoded message and the instructions for retrieving the key to be transferred to the third node; and
> wherein, the receiving, at the third node, of the encoded message and the instructions for retrieving the key causes:
> the message to be recovered from the encoded message by
> retrieving the key, and
> decoding the encoded message using the key, and

the recovered message to be provided from the third node to the second node."

According to the approach recited in Claim 31, the originating node (the first node) generates a set of instructions that contain not only the encrypted message, but instructions which, when processed by the receiving node (the second node), cause the encrypted message and instructions for retrieving the key to be sent to a third node. The third node decrypts the encrypted message and sends the recovered message back to the second node. Thus, the decrypting of the encrypted message occurs at a different node (the third node) than the node that receives the encrypted message from the sending node (the second node). For example, Claim 31 recites "generating, at the first node, a set of one or more instructions that contain the encoded message and instructions for transferring to a third node the encoded message and instructions for retrieving the key" and "wherein, processing the set of one or more instructions at the second node causes the encoded message and the instructions for retrieving the key to be transferred to the third node" and "wherein, the receiving, at the third node, of the encoded message and the instructions for retrieving the key causes: the message to be recovered from the encoded message by retrieving the key, and decoding the encoded message using the key, and the recovered message to be provided from the third node to the second node."

It is respectfully submitted that these limitations are not in any way taught or suggested by *Matsumoto*. In *Matsumoto*, each chat client that receives encrypted input signals decrypts those encrypted input signals to recover the original signal. Furthermore, the chat clients perform the decryption using a local copy of the chat channel key that the chat clients requested from the key management server. There is no mention or suggestion in *Matsumoto* of a chat client receiving an encrypted input signal in a set of instructions, then forwarding the encrypted

input signal with instructions for retrieving the correct chat channel key to another chat client for decrypting, and then receiving the decrypted input signal back from the other chat client.

The Office Action refers to FIGS. 4-7 and the accompanying text of *Matsumoto* for teaching the aforementioned limitations. Applicant has reviewed these portions of *Matsumoto* and cannot find any teaching or suggestion of a chat client receiving an encrypted input signal and forwarding the encrypted input signal to another chat client for decryption in the manner recited in Claim 31. It is therefore respectfully submitted that Claim 31 recites one or more limitations that are not taught or suggested by *Matsumoto* and is therefore patentable over *Matsumoto*.

CLAIMS 32, 33 AND 36

Claims 32, 33 and 36 all depend from Claim 31 and include all of the limitations of Claim 31. It is therefore respectfully submitted that Claims 32, 33 and 36 are patentable over *Matsumoto* for at least the reasons set forth herein with respect to Claim 31. Furthermore, it is respectfully submitted that Claims 32, 33 and 36 recite additional limitations that independently render them patentable over *Matsumoto*.

CLAIMS 37-39 AND 42

Claims 37-39 and 42 recite limitations similar to Claims 31-33 and 36, except in the context of computer-readable media. It is therefore respectfully submitted that Claims 37-39 and 42 are patentable over *Matsumoto* for at least the reasons set forth herein with respect to Claims 31-33 and 36.

CLAIMS 43-45 AND 48

Claims 43-45 and 48 recite limitations similar to Claims 31-33 and 36, except in the context of apparatuses. It is therefore respectfully submitted that Claims 43-45 and 48 are patentable over *Matsumoto* for at least the reasons set forth herein with respect to Claims 31-33 and 36.

In view of the foregoing, it is respectfully submitted that Claims 16, 17, 20-22, 25-27, 30-33, 36-39, 42-45 and 48 are patentable over *Matsumoto*. Accordingly, reconsideration and withdrawal of the rejection of Claims 16, 17, 20-22, 25-27, 30-33, 36-39, 42-45 and 48 under 35 U.S.C. § 102(b) as being anticipated by *Matsumoto* is respectfully requested.

REJECTION OF CLAIMS 18, 19, 23, 24, 28, 29, 34, 35, 40, 41, 46, 47, 52-54, 58-60 AND 64-66 UNDER 35 U.S.C. § 103(a)

Claims 18, 19, 23, 24, 28, 29, 34, 35, 40, 41, 46, 47, 52-54, 58-60 and 64-66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Matsumoto* in view of *Gupta et al.*, U.S. Patent No. 6,226,752 (hereinafter "*Gupta*"). This rejection is now moot with respect to canceled Claims 52-54, 58-60 and 64-66. It is respectfully submitted that Claims 18, 19, 23, 24, 28, 29, 34, 35, 40, 41, 46 and 47 are patentable over *Matsumoto* and *Gupta*, considered alone or in combination, for at least the reasons provided hereinafter.

CLAIMS 18 AND 19

Claims 18 and 19 depend from Claim 16 and include all of the limitations of Claim 16. As previously set forth herein, Claim 16 includes one or more limitations that are not taught or suggested by *Matsumoto*. It is also respectfully submitted that these limitations are also not taught or suggested by *Gupta* and *Gupta* was not relied upon in the Office Action for teaching these limitations. For example, it is respectfully submitted that at least the limitations

"generating, at the first node, a set of one or more instructions that contain the encoded message and instructions for decoding the encoded message using the key" and "providing the set of one or more instructions to the second node" are not taught or suggested by *Gupta*. Accordingly, it is respectfully submitted that Claims 18 and 19 recite one or more limitations that are not taught or suggested by *Matsumoto* or *Gupta*, considered alone or in combination, and are therefore patentable over Claims 18 and 19.

CLAIMS 23 AND 24

Claims 23 and 24 recite limitations similar to Claims 18 and 19, except in the context of computer-readable media. It is therefore respectfully submitted that Claims 23 and 24 are patentable over *Matsumoto* and *Gupta* for at least the reasons set forth herein with respect to Claims 18 and 19.

CLAIMS 28 AND 29

Claims 28 and 29 recite limitations similar to Claims 18 and 19, except in the context of apparatuses. It is therefore respectfully submitted that Claims 28 and 29 are patentable over *Matsumoto* and *Gupta* for at least the reasons set forth herein with respect to Claims 18 and 19.

CLAIMS 34 AND 35

Claims 34 and 35 depend from Claim 31 and include all of the limitations of Claim 31. As previously set forth herein, Claim 31 includes one or more limitations that are not taught or suggested by *Matsumoto*. It is also respectfully submitted that these limitations are also not taught or suggested by *Gupta* and *Gupta* was not relied upon in the Office Action for teaching these limitations. For example, it is respectfully submitted that at least the limitations "generating, at the first node, a set of one or more instructions that contain the encoded message

and instructions for transferring to a third node the encoded message and instructions for retrieving the key" and "wherein, processing the set of one or more instructions at the second node causes the encoded message and the instructions for retrieving the key to be transferred to the third node" and "wherein, the receiving, at the third node, of the encoded message and the instructions for retrieving the key causes: the message to be recovered from the encoded message by retrieving the key, and decoding the encoded message using the key, and the recovered message to be provided from the third node to the second node" are not taught or suggested by *Gupta*. Accordingly, it is respectfully submitted that Claims 34 and 35 recite one or more limitations that are not taught or suggested by *Matsumoto* or *Gupta*, considered alone or in combination, and are therefore patentable over Claims 34 and 35.

CLAIMS 40 AND 41

Claims 40 and 41 recite limitations similar to Claims 34 and 35, except in the context of computer-readable media. It is therefore respectfully submitted that Claims 40 and 41 are patentable over *Matsumoto* and *Gupta* for at least the reasons set forth herein with respect to Claims 34 and 35.

CLAIMS 46 AND 47

Claims 46 and 47 recite limitations similar to Claims 34 and 35, except in the context of apparatuses. It is therefore respectfully submitted that Claims 46 and 47 are patentable over *Matsumoto* and *Gupta* for at least the reasons set forth herein with respect to Claims 34 and 35.

In view of the foregoing, it is respectfully submitted that Claims 18, 19, 23, 24, 28, 29, 34, 35, 40, 41, 46 and 47 each recite one or more limitations that are not taught by *Matsumoto* and *Gupta*, considered alone or in combination, and are therefore patentable over *Matsumoto* and

Gupta. Accordingly, reconsideration and withdrawal of the rejection of Claims 18, 19, 23, 24, 28, 29, 34, 35, 40, 41, 46 and 47 under 35 U.S.C. § 103(a) as being unpatentable over *Matsumoto* in view of *Gupta* is respectfully requested.

CONCLUSION

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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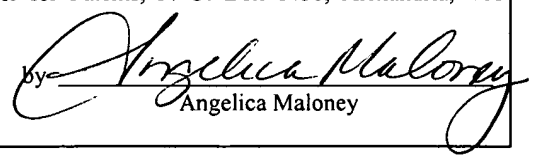
on September 15, 2005 by 
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